

### REMARKS

In the Office Action, a restriction was made requiring election of one of the following inventions:

- I. Claims 9-16, allegedly drawn to a method for cutting and fastening a section of tissue; and
- II. Claims 17-28, allegedly drawn to a fastening and cutting attachment and a fastening and cutting device.

Accordingly, Applicant hereby elects, without traverse, the invention designated by the examiner as Invention II, i.e., claims 17-28. Thus, Applicants have withdrawn herein without prejudice claims 9-16.

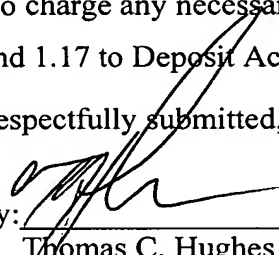
An early and favorable action on the merits is earnestly solicited.

### FEES

The Commissioner is authorized to charge any necessary fees or credit any overpayments under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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